

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**DIBY AKO**

**PLAINTIFF**

vs.

No. 3:22-cv-1751-S

**ARRIVA BEST SECURITY, INC,  
and AMOIFO KOFFI**

**DEFENDANTS**

**DECLARATION OF DIBY AKO**

I, Diby Ako, do hereby swear, affirm and attest as follows, based upon my personal knowledge of the matters contained herein:

1. My name is Diby Ako, and I am over the age of eighteen (18) and duly qualified to execute this declaration.
2. I am a resident and domiciliary of the District of Columbia.
3. The statements in this declaration are based upon my own personal knowledge.
4. Defendant Arriva Best Security, Inc. ("ABS") is a foreign for-profit corporation that provides security services to primarily commercial customers.
5. ABS's registered agent for service of process is Amoifo Koffi ("Koffi", together with ABS "Defendants"), 9330 LBJ Freeway, Suite 900, Dallas, Texas 75243.
6. I was employed by Defendants as a firewatch services guard from September of 2020 until September of 2021.

7. As a firewatch services guard, my primary duties were to inspect Defendants' customers' work sites for fire hazards, to report any potential fire risks, and to monitor to ensure there were no fires.

8. Koffi, in his role as an operating employer of ABS, exercised supervisory authority over my work, including the day-to-day job duties that my job entailed, determined my work schedule, and made decisions regarding my pay, or lack thereof.

9. Defendants promised to pay me \$15.00 per hour.

10. I asked to be paid what I was owed many times, but Defendants failed to pay me for any hours worked.

11. I regularly worked 100 hours per week.

12. The work I performed did not include integrated coursework from an educational institution.

13. The work I performed displaced the work of paid employees.

14. Defendants failed to pay me a proper minimum wage for all hours worked and a proper overtime premium for hours worked over forty each week.

15. Defendants owe me a total of \$105,560.00, which is shown by a calculation of damages that is submitted as Exhibit 1. I am owed \$52,780.00 in back wages for unpaid minimum wages, and under the liquidated damages provisions of the Fair Labor Standards Act I am owed \$52,780.00 in liquidated damages, or an amount equal to the back wages, for Defendants knowingly failing to pay me a lawful minimum wage or overtime premium.

**PURSUANT TO 28 U.S.C. § 1746, I VERIFY UNDER PENALTY OF PERJURY  
UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING  
IS TRUE AND CORRECT.**

Dated this 17th day of March, 2023.

*Diby Bertrand Ako*  

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**Diby Ako**